

AMENDED IN SENATE MARCH 28, 2014

SENATE BILL

No. 1272

Introduced by Senator Lieu

February 21, 2014

~~An act to amend Section 8601 of the Elections Code, relating to elections. An act to submit an advisory question to the voters relating to campaign finance, calling an election, to take effect immediately.~~

LEGISLATIVE COUNSEL'S DIGEST

SB 1272, as amended, Lieu. ~~Elections: write-in candidates. Campaign finance: advisory election.~~

This bill would call a special election to be consolidated with the November 8, 2016, statewide general election. The bill would require the Secretary of State to submit to the voters at the November 8, 2016, consolidated election an advisory question asking whether the Congress of the United States should propose, and the California legislature should ratify, an amendment or amendments to the United States Constitution to overturn Citizens United v. Federal Election Commission (2010) 558 U.S. 310, and other applicable judicial precedents, as specified. The bill would require the Secretary of State to communicate the results of this election to the Congress of the United States.

This bill would declare that it is to take effect immediately as an act calling an election.

~~Existing law provides procedures relating to the nomination of write-in candidates. Existing law requires that statement and nomination papers be available on the 57th day prior to the election for which a candidate is filing as a write-in candidate and requires that those papers be delivered to the elections official no later than the 14th day prior to the election.~~

~~This bill would make a nonsubstantive change to these provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~-yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. A special election is hereby called to be held*
2 *throughout the state on November 8, 2016. The special election*
3 *shall be consolidated with the statewide general election to be*
4 *held on that date. The consolidated election shall be held and*
5 *conducted in all respects as if there were only one election and*
6 *only one form of ballot shall be used.*

7 *SEC. 2. (a) Notwithstanding Section 9040 of the Elections*
8 *Code, the Secretary of State shall submit the following advisory*
9 *question to the voters at the November 8, 2016, consolidated*
10 *election:*

11
12 *“Shall the Congress of the United States propose, and the*
13 *California legislature ratify, an amendment or amendments to the*
14 *United States Constitution to overturn Citizens United v. Federal*
15 *Election Commission (2010) 558 U.S. 310, and other applicable*
16 *judicial precedents, to allow the full regulation or limitation of*
17 *campaign contributions and spending, to ensure that all citizens,*
18 *regardless of wealth, may express their views to one another, and*
19 *to make clear that the rights protected by the United States*
20 *Constitution are the rights of natural persons only?”*

21
22 *(b) Upon certification of the election, the Secretary of State*
23 *shall communicate to the Congress of the United States Congress*
24 *the results of the election asking the question set forth in*
25 *subdivision (a).*

26 *(c) The provisions of the Elections Code that apply to the*
27 *preparation of ballot measures and ballot materials at a statewide*
28 *election apply to the measure submitted pursuant to this section.*

29 *SEC. 3. This act calls an election within the meaning of Article*
30 *IV of the Constitution and shall go into immediate effect.*

31 ~~SECTION 1. Section 8601 of the Elections Code is amended~~
32 ~~to read:~~

33 ~~8601. The statement and nomination papers shall be available~~
34 ~~on the 57th day prior to the election for which the candidate is~~

- 1 ~~filing as a write-in candidate, and shall be delivered to the elections~~
- 2 ~~official who is responsible for the conduct of the election no later~~
- 3 ~~than the 14th day prior to the election.~~

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